

ORBACH HUFF + HENDERSON LLP

Kevin E. Gilbert, Esq. (SBN: 209236)

kgilbert@ohhlegal.com

Carolyn M. Aguilar, Esq. (SBN: 289550)

caguilar@ohhlegal.com

ORBACH HUFF + HENDERSON LLP

6200 Stoneridge Mall Road, Suite 225

Pleasanton, California 94588

Tel: (510) 999-7908; Fax: (510) 999-7918

Attorneys for Defendants OFFICERS JESUS MARTINEZ and KYLE GRIFFIN

HYDEE FELDSTEIN SOTO, City Attorney

SCOTT MARCUS, Chief Assistant City Attorney (SBN: 184980)

CORY M. BRENT, Senior Assistant City Attorney (SBN: 115453)

CHRISTIAN R. BOJORQUEZ, Deputy City Attorney (SBN: 192872)

christian.bojorquez@lacity.org

200 N. Main Street, 6th Floor, City Hall East

Los Angeles, California 90012

Tel: (213) 978-7023; Fax: (213) 978-8785

Attorneys for Defendant CITY OF LOS ANGELES

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MARIBEL MURILLO, individually and as
successor-in-interest Of The Estate of
deceased, JONATHAN MURILLO-NIX,

Plaintiff,

v.

CITY OF LOS ANGELES, a governmental
entity; JESUS MARTINEZ, individually;
KYLE GRIFFIN, individually; and DOES
1- 10, inclusive,

Defendants.

Case No. 22-cv-03188-DMG (SKx)

**DECLARATION OF TRACY NG IN
SUPPORT OF DEFENDANTS' JOINT
MOTION FOR SUMMARY
JUDGMENT OR, IN THE
ALTERNATIVE, PARTIAL
SUMMARY JUDGMENT**

DATE: December 15, 2023

TIME: 2:00 p.m.

DEPT: Courtroom 8C

JUDGE: Hon. Dolly M. Gee

1 I, Tracy Ng, declare as follows:

2 1. I am a criminalist with the Los Angeles Police Department, Forensic Science
3 Division, Serial No. N4952. I have personal knowledge of the information set forth
4 herein, except those things set forth on information and belief, and as to those things, I
5 believe them to be true.

6 2. On February 1, 2022, I responded on-site to reports of an officer-involved
7 shooting incident ("Incident") involving Jonathan Murillo-Nix ("Murillo-Nix") that
8 occurred on Desmond Street in Los Angeles.

9 3. While on-site of the Incident, I collected several items of evidence, including
10 a 4-inch length knife and fragments of purple plastic that were located at and around the
11 Desmond Street residence.

12 4. After my investigation and review of these items, I conclude that the purple
13 plastic fragments were the handle portion of the 4-inch blade that was found at the site of
14 the Incident.

15 5. In analyzing the purple fragments, I also conclude that they were created
16 (i.e. fragmented) when a bullet struck the knife handle.

17 6. Attached hereto as **Exhibit W** are true and correct copies of the laboratory
18 reports that I drafted in this matter.

19 7. Attached hereto as **Exhibit X** are true and correct copies of photographs of
20 the knife that was recovered. The first photograph depicts the knife without the handle
21 while the second photograph depicts the knife after the fragments were reassembled.

22 I declare under penalty of perjury under the laws of the United States of America
23 and the State of California that the foregoing is true and correct. Executed this 2nd day
24 of November 2023, in Los Angeles, California.

25 
26 Tracy Ng
27
28

EXHIBIT W



Los Angeles Police Department
Forensic Science Division
1800 Paseo Rancho Castilla, Los Angeles CA 90032

Laboratory Report

SID-22-001551 / Req. # 0007
Report finalized: May 9, 2022
Page 1 of 4

DR #: 22-16-05080
Requested By: FULLER #37232, FID
Contact: 37232@lapd.online
Name Associated: JONATHAN MURILLO-NIX
Offense: OIS
Service: Firearms - Bullet Path Analysis

Analysis Requested: Bullet Path Analysis
Physical/Fracture Match- determine if items 22, 27-34 were part of the same knife
F004-22

I, the undersigned analyst, as a Criminalist employed by the Los Angeles Police Department, am prepared to testify to the information provided in this report. The following results relate only to the items tested.

Evidence Item(s):

- Item 22 (LIMS #13-1): One (1) knife with damaged handle
- Item 27 (LIMS #11-1): One (1) plastic fragment, purple
- Item 28 (LIMS #11-2): Three (3) plastic fragments, purple
- Item 29 (LIMS #11-3): Two (2) plastic fragments, purple
- Item 30 (LIMS #11-4): One (1) plastic fragment, purple
- Item 31 (LIMS #11-5): Six (6) plastic fragments, purple
- Item 32 (LIMS #11-6): One (1) plastic fragment, purple
- Item 33 (LIMS #12-1): One (1) plastic piece, black
- Item 34 (LIMS #12-2): One (1) plastic piece, black

Dates of Laboratory Activity: 4/12/2022 — 5/2/2022

The above listed evidence was examined for physical/fracture match and possible projectile related defects.

Evidence was photographed at the laboratory by Photographer G. Baker N5831 on 2/8/2022 and 4/25/2022 under D#0800968 and D#0800901 respectively.

Method(s)

Physical/Fracture Match is performed by visually and/or microscopically intercomparing the physical properties of the evidence. Opinions of common origin are made when there is significant correlation among the physical properties.

Bullet path analysis is performed by visually examining evidence for possible projectile related defects.

Conclusion(s)

PHYSICAL/FRACTURE MATCH CONCLUSION

Items 22 and 27-31 were part of the same knife.

CITY 000340

Los Angeles Police Department Laboratory Report continued
FSD # SID-22-001551

DR # 22-16-05080

Req # 0007

Page 2 of 4

Item 32 could not be identified or eliminated as having once been part of the same knife as items 22 and 27-31 due to the lack of agreement/disagreement of individual characteristics.

Items 33 and 34 were not part of the same knife as items 22 and 27-31 or item 32.

BULLET PATH OBSERVATION

Impact C - perforating impact, located on the top surface of the handle of items 22 and 27-31 (knife).

BULLET PATH CONCLUSION

Pathway C (including impact C) is consistent with a bullet traveling from top to bottom. No further direction could be determined due to the condition of the impact.

Los Angeles Police Department Laboratory Report continued
FSD # SID-22-001551

DR # 22-16-05080

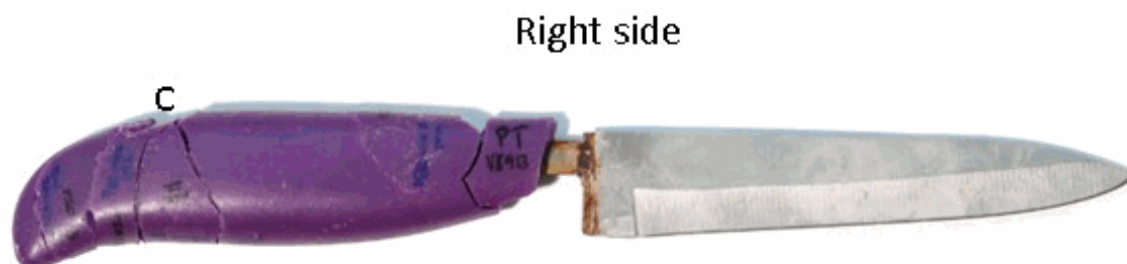
Req # 0007

Page 3 of 4

Impact

DR 21-16-05080

Items 22, 27-31



Not to scale

CITY 000342

Los Angeles Police Department Laboratory Report continued
FSD # SID-22-001551

DR # 22-16-05080

Req # 0007

Page 4 of 4

Handwritten signature of Tracy Le Ng in blue ink.

Analyst: T. Ng #N4952 (323) 415-8898 5-9-22

Handwritten signature of Julia Wilkinson in blue ink.

Admin Review: J. Wilkinson #N4403 5-9-22

Handwritten signature of Rafael Garcia in blue ink.

Tech Review: R. Garcia #G9120 5-9-22

LOS ANGELES POLICE DEPARTMENT
FOLLOW-UP INVESTIGATION

CORONER CASE NUMBER

☐ MULTIPLE

DATE THIS REPORT 5/9/2022		DATE ORIGINAL RPT. 5/9/2022		SPECIFIC TYPE OF ORIGINAL RPT. (ADW, TFV, EVID., ARREST/BURG., ETC.) Laboratory Report				RD 0439		DR NO. 22-1605080		
VICTIM BOOKED TO / ARRESTEE (AS ON ORIGINAL REPORT) JONATHAN MURILLO-NIX						IF RECLASSIFYING TO HOMICIDE SEX / DESCENT / AGE VICT'S		BKG NO. (SUPPL. TO ARREST)		WORK FOLDER PERIOD ORIG. RPT. / INDEX NO.		
CASE STATUS 1 <input type="checkbox"/> CLEARED BY ARREST 2 <input type="checkbox"/> CLEARED OTHER 3 <input type="checkbox"/> REPORT UNFOUNDED 4 <input checked="" type="checkbox"/> INVESTIGATION CONTINUED												
Use this section only to add or correct info - do not repeat info from previous reports. Exception: Complete entire suspect info if making final disposition.												
DATE OCCURRED		CHANGE TO - ON OR BETWEEN MO DAY YEAR TIME		& MO DAY YEAR TIME		TYPE ORIGINAL REPORT - CHANGE TO		RD- CHG. TO		DR NO. CHG. TO		
PROPERTY VALUE:		ADDITIONAL LOSS		PARTIAL RECOVERY		TOTAL RECOVERY		DELETED FROM ORIG. RPT.		DESCRIPTION CHANGE <input checked="" type="checkbox"/>		
ITEM NOS. RECOVERED/DELETED (ON MULTI. RPTS. USE NARRATIVE)												
S-1	SEX	DESC	HAIR	EYES	HEIGHT	WEIGHT	DOB	AGE	NAME & ADDRESS (OR NAME & CHARGE, IF ARRESTED)			
									ACTION TAKEN			<input type="checkbox"/> MNU# <input type="checkbox"/> CII# <input type="checkbox"/> BKG#
S-2	SEX	DESC	HAIR	EYES	HEIGHT	WEIGHT	DOB	AGE	NAME & ADDRESS (OR NAME & CHARGE, IF ARRESTED)			
									ACTION TAKEN			<input type="checkbox"/> MNU# <input type="checkbox"/> CII# <input type="checkbox"/> BKG#
S-3	SEX	DESC	HAIR	EYES	HEIGHT	WEIGHT	DOB	AGE	NAME & ADDRESS (OR NAME & CHARGE, IF ARRESTED)			
									ACTION TAKEN			<input type="checkbox"/> MNU# <input type="checkbox"/> CII# <input type="checkbox"/> BKG#
NARRATIVE (USE BELOW COLUMNS FOR MULTIPLE REPORTS ONLY)												
P/T/D	MULTIPLE RPT: DR NOS.		TYPE OF CRIME		RD		VICTIM'S NAME			DATE ORIG. RPT.		
VALUE												
In original Laboratory Report SID-22-001551 req. #0007 dated 5/9/2022 on page three, the DR noted on the diagram should be changed.												
FROM:												
21-16-05080												
TO:												
22-16-05080												
WAS PROPERTY BOOKED IN CONJUNCTION WITH THIS REPORT OR INCIDENT? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES												
IF YES, HAS 10.06.00 BEEN COMPLETED? <input type="checkbox"/> NO <input type="checkbox"/> YES												
SUPERVISOR APPROVING				SERIAL NO.				REPORTING OFFICER(S)				
				N4403				T. NG				
DATE & TIME REPRODUCED				DIVISION				SERIAL NO.				
								N4952				
				CLERK				DIVISION				
								FSD				

03.14.00 (10/13)...

FOLLOW-UP INVESTIGATION

INC# 220201000313

CITY 000344



Los Angeles Police Department
Forensic Science Division
1800 Paseo Rancho Castilla, Los Angeles CA 90032

Laboratory Report

SID-22-001551 / Req. # 0003
Report finalized: April 26, 2022
Page 1 of 2

DR #: 22-16-05080 **Name Associated:** JONATHAN MURILLO-NIX
Requested By: FULLER #37232 **Offense:** OIS
Contact: 37232@lapd.online **Service:** Firearms - Evidence Collection
Analysis Requested: Evidence Collection - DNA Collection
F004-22

I, the undersigned analyst, as a Criminalist employed by the Los Angeles Police Department, am prepared to testify to the information provided in this report. The following results relate only to the items tested.

On February 1, 2022, Criminalist T. Ng N4952, Criminalist J. Flores N6278, and Criminalist M. Gonzalez N6268 responded to 12935 Desmond St. at the request of FID Detectives to assist with evidence collection related to an on-going Officer Involved Shooting investigation.

Evidence was photographed by Photographer G. Raives V9103 under D# 0802885.

Additional photos of evidence were taken on February 8, 2022 by Photographer G. Baker N5831 under D#0800968.

Observation(s)

One (1) knife, serrated (booked into property as item 21)

Fourteen (14) plastic fragments, purple (booked into property as items 27-32)

One (1) knife, with damaged purple handle (booked into property as item 22)

One (1) knife, serrated (booked into property as item 23)

One (1) knife, with damaged handle (booked into property as item 24)

One (1) knife, with purple handle (booked into property as item 25)

Conclusion(s)

A knife (item 21) and plastic fragments (items 27-32) were swabbed by Criminalist T. Ng N4952 on February 3, 2022, and the knives (items 22-25) were swabbed by Criminalist T. Ng N4952 on February 9, 2022 at the Forensic Science Center (1800 Paseo Rancho Castilla). See property report listing items 37 through 38 and items 39 through 42 respectively for further details.

Los Angeles Police Department Laboratory Report continued
FSD # SID-22-001551

DR # 22-16-05080

Req # 0003

Page 2 of 2

Handwritten signature of Tracy Le Ng in blue ink.

Analyst: T. Ng #N4952 (323) 415-8898 4-25-22

Handwritten signature of Julia Wilkinson in blue ink.

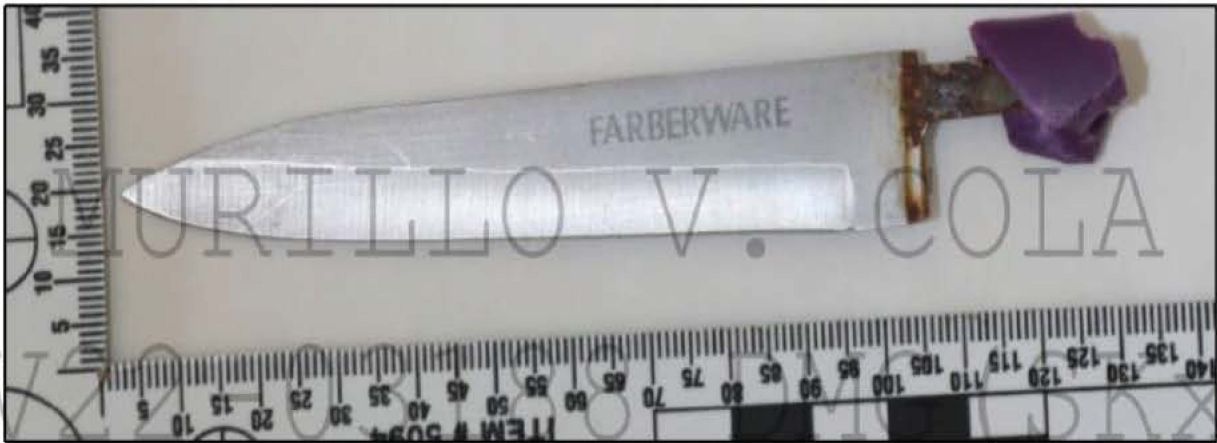
Admin Review: J. Wilkinson #N4403 4-26-22

Handwritten signature of Brent D Reinartz in blue ink.

Tech Review: B. Reinartz #N5624 4-26-22

EXHIBIT X

Exhibit X



Photograph of the Farberware knife

